

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 527 OF 2006
IN
WRIT PETITION NO. 1531 OF 2005

Ramshray S. Singh .. Appellant.

V/s.

M/s.Sanjay Mehra Associates & Anr. .. Respondents.

Mr.M.D.Nagle for the Appellant.

Mr.Piyush Shah with Mr.R.P.Rele i/by Mr.Piyush Shah for
Respondents No.1 & 2.

CORAM : R.M.LODHA & S.A.BOBDE, JJ.

DATED : 25TH AUGUST, 2006.

P.C.:

. We heard Mr.M.D.Nagle, the counsel for the
appellant and perused the impugned order.

2. In the application under section 33-C (2), the
details of legal dues of the applicant are thus :-

"i)	Wages for 5 days for for the month of September, 1995.	.. Rs. 465=00
ii)	Notice pay i.e. one month's wages.	.. Rs. 2,903=00
iii)	Travelling allowance for the months of July, 1995 and August, 1995 @ Rs.600/-per month.	..Rs. 1,200=00
iv)	Retrenchment compensation for 25 years of service	..Rs.41,870=00 -----

Total due : Rs.46,438=00.
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E.& O.E.

(Rupees fortysix thousand four
hundred thirtyeight only).

Bombay,

(Signature of the Applicant).

Dated : This 28th
Day of December, 1995."

3. Obviously, in so far as the claim under Items (ii), (iii), (iv) are concerned, these have to be established by the appellant in the appropriate proceedings. Surely, the proceedings under section 33-C(2) are not for that purpose. In this view of the matter, the labour court as well as the learned single Judge were not wrong in refusing to grant the claim made by the appellant under Items (ii),(iii) & (iv). With regard to the claim of wages for 5 days for the month of September, 1995, the learned single Judge has already modified the order of the labour court and passed an order in favour of the appellant to that effect.

4. No case for interference is made out.

5. Appeal is dismissed in limine.

(R.M.LODHA, J.)

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(S.A.BOBDE, J.)

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